



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing the Public Works Director to Cast Ballots Representing City-Owned Properties in Favor of the North San Joaquin Water Conservation District Acreage Charge (\$200)


MEETING DATE: July 2, 2003

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution authorizing the Public Works Director to cast ballots representing City-owned properties supporting the proposed acreage charge on land within the district on which surface water or groundwater is applied.

BACKGROUND INFORMATION: Currently the North San Joaquin Water Conservation District does not impose an acreage charge on land within the district on which surface water or groundwater is applied. The North San Joaquin Water Conservation District does currently receive approximately \$170,000 a year from property taxes and approximately \$30,000 per year from the sale of water. The proposal is for the District to impose a charge up to \$5 per acre or portion of an acre per year of land on which surface water or groundwater is applied. State law limits the charge to \$1 per acre for the years 2003, 2004, 2005, and 2006, unless the amounts of water caused to be deposited on land by the District exceed the amounts shown in the table of the attached letter. The proposed charge could generate approximately \$50,000 a year based on the \$1 per acre charge. The purpose of the proposed acreage charge is for the funding of groundwater recharge projects within the district to help correct the existing critical groundwater overdraft. The City has received ballots on the applicable City-owned parcels with a total assessment just under \$200. The State law does, however, have criteria allowing an increase of the assessment based on the amount of water recharged. The City and its inhabitants will benefit from the recharge projects, therefore, City staff supports the proposed charge and recommends that the City of Lodi cast ballots in favor of the charge.

FUNDING: Water Fund

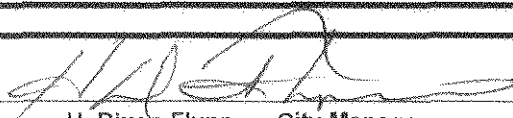

Richard C. Prima, Jr.
Public Works Director

Prepared by Rebecca Areida, Management Analyst

RCP/RA/pmf
Attachments

cc: Fran Forkas, Water/Wastewater Superintendent

APPROVED: _____


H. Dixon Flynn -- City Manager

DIRECTORS
John Ferreira
George A. Gillespie
Thomas Hoffman
Matthys Van Gaalen
Fred Weybret

NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT

221 W. Pine St., Lodi, CA 95240

GENERAL MANAGER
Edward M. Steffani

LEGAL COUNSEL
Stewart C. Adams, Jr.

May 20, 2003

NOTICE OF PUBLIC HEARING AND BALLOT PROCEEDING TO IMPOSE AN ACREAGE CHARGE

Dear Landowner:

The Board of Directors of the North San Joaquin Water Conservation District will hold a hearing on July 17, 2003, 7:00 P.M., in Kirt Hall at the Hutchins Street Square, 125 South Hutchins Street, Lodi, California, for the purpose of considering protests, tabulating ballots, and otherwise, considering adoption of an acreage charge which would be effective for the fiscal year 2003-2004.

North San Joaquin Water Conservation District currently imposes no charge on land within the District on which surface water or groundwater is applied. The proposal before you is to authorize the District to impose a charge up to \$5.00 per acre or portion of an acre per year of land on which surface water or groundwater is applied.

State law limits the charge at \$1.00 per acre for the years 2003, 2004, 2005, and 2006 unless the amounts of water caused to be deposited on land by the District exceed the amounts shown in the following table. The District caused 1800 acre-feet of water to be deposited during 2002.:

Acreage Charge Allowed	Amount of Water Deposited During the Previous Year (acre feet)
\$1	0
\$2	5,000
\$3	8,000
\$4	10,000
\$5	12,000

For the year 2007 and each subsequent year, the District's authority to levy an acreage charge is limited as shown in the following table:

Acreage Charge Allowed	Amount of Water Deposited During the Previous Year (acre-feet)
\$1	3,000
\$2	5,000
\$3	8,000
\$4	10,000
\$5	12,000

No charge is automatic. The District Board may adopt the charge each year at a public meeting when the amount of water deposited during the previous year will be certified, and a budget for expenditure of acreage charge revenue will be adopted.

The proposed \$1 per acre charge could generate approximately \$50,000 per year. The amount chargeable to each of your parcels is set forth on the enclosed Official Ballot. The proposed maximum rate of \$5.00 per acre would remain in effect indefinitely. The Board of Directors may set the annual rate in accordance with the limitations shown in

the above tables

The proposed acreage charge is for the purpose of funding groundwater recharge projects within the District to correct the existing critical groundwater overdraft.

The basis of the proposed charge is the acreage of each parcel as shown on the San Joaquin County Assessor's Roll. The basis of the charge has been reviewed and is supported by the report prepared by Edward M. Steffani, Registered Civil Engineer. The report may be inspected at the Lodi Library, 201 W. Locust Street, Lodi, or a copy can be provided pursuant to your written request.

Ballot – Landowner Approval

The charge will not be imposed if there is a "majority protest," Under Section 4 of Article XIII D of the California Constitution (Proposition 218), a majority protest exists if, upon conclusion of the hearing, ballot votes submitted in opposition to the charge exceed the ballot votes submitted in favor of the charge. In tabulating the ballots, ballots shall be weighted according to the proportional financial obligation of the affected property. In other words, a one acre parcel will have \$1 in vote and a five acre parcel will have (5 acres x \$1/acre) = \$5 in votes.

Enclosed is a Ballot, Instructions to Voters and Proxy Form. The ballot should be returned by mail to the San Joaquin County Registrar of Voters, P. O. Box 810, Stockton, CA 95201, in the enclosed self-addressed envelope, prior to the close of the hearing, which will commence at 7:00 P.M. on July 17, 2003. To assure the counting of your ballot, you should return it by mail well in advance of the hearing or be present at 7:00 P. M. on July 17, 2003. Ballots received after the close of the hearing will not be counted.

The ballots must be marked and the certification on the face of the ballot signed by the person casting the ballot. Landowners must comply with the requirements set forth in the attached instructions to Voters.

If you have any questions relating to the above, you may contact Ed Steffani, P. O. Box 428, Clements, CA 95227 or by telephone at (209) 727-0207,

Yours very truly

Ed Steffani
General Manager
North San Joaquin Water Conservation District

ES/bss

RESOLUTION NO. 2003-118

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE PUBLIC WORKS DIRECTOR
TO CAST BALLOTS REPRESENTING CITY-OWNED
PROPERTIES IN FAVOR OF THE NORTH SAN
JOAQUIN WATER CONSERVATION DISTRICT
ACREAGE CHARGE

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the Public Works Director to cast ballots representing City-owned properties in favor of the North San Joaquin Water Conservation District acreage charge on land located within the District, on which surface water or groundwater is applied.

Dated: July 2, 2003

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I hereby certify that Resolution No. 2003-118 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 2, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Howard, Land, and
Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk